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2107 N Broadway, Suite 308  
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charleswdaff@gmail.com

Attorney for Debtor

**United States Bankruptcy Court**  
**Central District of California, Santa ana Division**

In re Nabil Awan Ibrahim Radwan

Debtor(s)

Case No. 8:17-bk-10477 CB  
Chapter 13

No Hearing Set

**NOTICE RE: DEBTOR'S QUALIFIED WRITTEN REQUEST**

The debtor files this Notice Re: Debtor's Qualified Written Request with the Court to advise the secured creditor, chapter 13 trustee and the Court of his request made on the secured creditor to determine the status of the creditor's secured claim and to determine the amount of arrears to be paid by the chapter 13 trustee pursuant to the chapter 13 plan.

A true and correct copy of the Qualified Written Request is attached as Exhibit A and incorporated by reference.

Dated: May 10, 2017



Charles W Daff  
Attorney for Debtor

## EXHIBIT A

LAW OFFICES  
**CHARLES W. DAFF**  
A PROFESSIONAL CORPORATION  
2107 NORTH BROADWAY, SUITE 308  
SANTA ANA, CALIFORNIA 92706  
(657) 218-4800  
FAX (657) 218-4858

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**QUALIFIED WRITTEN REQUEST**

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May 10, 2017

**Edward J Fay**  
**Fay Servicing, LLC**  
**440 S LaSalle St., 20<sup>th</sup> Floor**  
**Chicago, IL 60605**

**CEO**  
**Fay Servicing, LLC**  
**901 S. 2nd St. Suite 201**  
**Springfield, IL 62704**

**CEO**  
**US Bank National Association**  
**425 Walnut Street**  
**Cincinnati, OH 45202**

Attention: Mortgage Loan Accounting Department  
Borrower: Nabil Radwan  
Loan Number: 1 702  
Bankruptcy Case Number: 8:17-bk-10477 CB  
Central District of California, Santa Ana Division

Please treat this letter as a "Qualified Written Request" under the Federal Servicer Act, which is a part of the Real Estate Settlement Procedures Act, 12 U.S.C. 2605(e).

Specifically, I am disputing a) the identity of a true secured lender/creditor, and b) the existence of debt, and c) your authority and capacity to collect on behalf of the alleged lender / creditor. Because of extensive criminal activity and fraud in this arena, I require proof of the chain of secured ownership from the original alleged lender/creditor to the alleged current lender/creditor. Further, I require proof that you are the entity that has been contracted to work on behalf of the alleged lender/creditor.

Pursuant to "Subtitle E Mortgage Servicing" of the Dodd-Frank Wall Street Reform and Consumer Protection Act and pursuant to 12 U.S.C. Section 2605(e)(1)(A) and Reg. X Section 3500.21(e)(1), please provide:

1. A full, double sided, certified "true and accurate" copy of the original promissory note and security instrument and all assignments of the security instrument.
2. Full name, address and telephone number of the actual entity that funded the transaction.
3. Pursuant to the Truth In-Lending Act § 131(f)(2) and 15 U.S.C. § 1641 (f): Please provide the name, address and telephone number of the owner(s) of the mortgage and the master servicer of the mortgage.
4. Full name of Trust where the Note Number is trading, or has traded, and the identifying Series of Certificates. *(Note: If the note number is being traded in a Fannie Mae Trust or Freddie Mac Trust, please provide all information to identify the Trust (i.e. Fannie Mae Pool Number, CUSIP Number, REMIC or SMBS Trust Number and Trust Class/Tranche).*
5. Full name, address, and telephone number of the Trustee.
6. Full name, address, and telephone number of the Custodian of my original Promissory Note, including the name, address and telephone number of any trustee or other fiduciary. This request is being made pursuant to Section 1641(f)(2) of the Truth In Lending Act.
7. The MERS Milestone Report, if the note number and security instrument was tracked by Mortgage Electronic Registration Systems. I want to see the audit trail of the alleged transfer in ownership and alleged transfer in security interest.
8. A complete audit history from alleged loan origination, showing the dates payments were applied, and to what internal accounts (i.e. principal, interest, suspense, escrow, etc.) payments were applied.
9. A complete and itemized statement of any and all fees and/or charges against this account.
10. A complete and itemized statement of the escrow for this account, if any, from the date of the note origination to the date of your response to this letter.
11. A complete and itemized statement from the date of the note origination to the date of your response to this letter of the amounts charged for any forced-placed insurance, the date of the charge, the name of the insurance company, the relation of the insurance company to you or a related company, the amount of commission you received for each force-placed insurance event, and an itemized statement of any other related expenses and any claims paid out thereto.
12. Complete and itemized statement of any and all fees incurred to modify, extend, or amend the loan or to defer any payment or payments due under the terms of the loan, from the date of the note origination to the date of your response to this letter.

13. Complete, itemized statement of the current amount needed to pay-off the alleged "loan" in full.

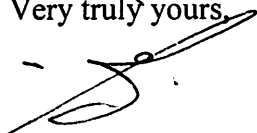
14. Verification of any notification provided to me of a change in servicer.

PLEASE TAKE NOTICE; you should be advised that within five (5) days you must send us a letter stating that you received this letter. after that time you have thirty (30) days to fully respond as per the time frame mandated by Congress, in "Subtitle 'E' Mortgage Servicing" of the "Dodd-Frank Wall Street Reform and Consumer Protection Act and pursuant to 12 U.S.C. Section 2605(e)(1)(A) and Reg. X Section 3500.21(e)(1).

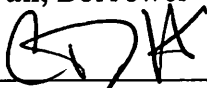
PLEASE TAKE FURTHER NOTICE; you should be advised that Violations of this Section provide for statutory damages of up to \$4,000 and reasonable legal fees. The amendments also clearly provide that the new notice rules are enforceable by private right of action.

PLEASE TAKE FURTHER NOTICE; of the Notice of Bankruptcy Case Filing attached hereto and incorporated by reference.

Very truly yours,



**Nabil Radwan, Borrower**



**Charles W. Daff, Attorney for  
Borrower**

CC:

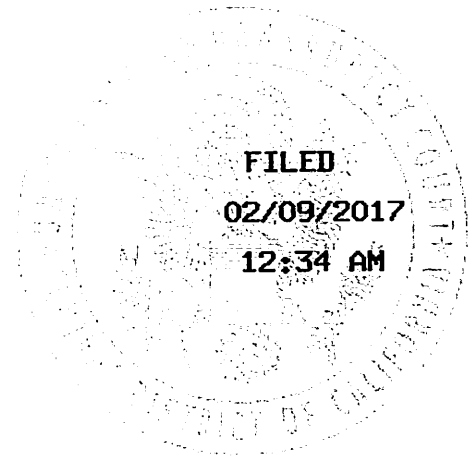
Office of RESPA and Interstate Land Sales  
Office of Housing, Room 9154  
US Department of Housing and Urban Development  
451 Seventh Street SW  
Washington, DC – 20410

## Notice of Bankruptcy Case Filing

A bankruptcy case concerning the debtor(s) listed below was filed under Chapter 13 of the United States Bankruptcy Code, entered on 02/09/2017 at 12:34 AM and filed on 02/09/2017.

### Nabil Awan Ibrahim Radwan

27535 Almendra Street  
Mission Viejo, CA 92691  
SSN / ITIN: xxx-xx-8257



The case was filed by the debtor's attorney: The bankruptcy trustee is:

### Charles W Daff

Law Offices of Charles W Daff  
2107 N. Broadway  
Suite 308  
Santa Ana, CA 92706  
657-218-4800

### Amrane (SA) Cohen (TR)

770 The City Drive South Suite 8500  
Orange, CA 92868  
714-621-0200

The case was assigned case number 8:17-bk-10477-CB to Judge Catherine E. Bauer.

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

If you would like to view the bankruptcy petition and other documents filed by the debtor, they are available at our *Internet* home page [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov) or at the Clerk's Office, 411 West Fourth Street, Suite 2030,, Santa Ana, CA 92701-4593.

You may be a creditor of the debtor. If so, you will receive an additional notice from the court setting forth important deadlines.

**Kathleen J. Campbell**  
Clerk, U.S. Bankruptcy Court

PACER Service Center			
Transaction Receipt			
05/10/2017 10:18:57			
PACER Login:	cd0015:2522350:0	Client Code:	
Description:	Notice of Filing	Search	8:17-bk-10477-

	Main Document	Critical	Page 7 of 9
Billable Pages:	1	Cost:	0.10

In re:  
**Nabil Awan Ibrahim Radwan**

Debtor(s).

CHAPTER: 13

CASE NUMBER: 8:17-bk-10477 CB

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

2107 N. Broadway  
Suite 308  
Santa Ana, CA 92706

A true and correct copy of the foregoing document entitled (*specify*): **Notice Re: Debtors Qualified Written Request with Proof of Service.** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On 05/10/17, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Amrane (SA) Cohen (TR) efile@ch13ac.com  
Charles W Daff charleswdaff@gmail.com  
Sean C Ferry sferry@rasflaw.com, seanferry7@gmail.com; bkyecf@rasflaw.com; ras@ecf.courtdrive.com  
Can Guner cguner@rasmonitor.com, bkyecf@rasflaw.com; courtdrive@rasflaw.com; ras@ecf.courtdrive.com  
United States Trustee (SA) ustpreion16.sa.ecf@usdoj.gov

☐ Service information continued on attached page

**2. SERVED BY UNITED STATES MAIL:**

On 05/10/17, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

HON. CATHERINE BAUER, US BANKRUPTCY JUDGE, 411 W FOURTH ST., SANTA ANA, CA. 92701

Debtor  
Nabil Awan Ibrahim Radwan  
27535 Almendra Street  
Mission Viejo, CA 92691

☒ Service information continued on attached page

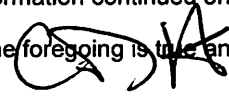
**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on 05/10/17, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

05/10/17  
Date

Charles W. Daff 76178  
Printed Name

  
Signature



PROOF OF SERVICE

ATTACHMENT

Nabil Radwan

8:17-bk-10477 CB

CEO

Fay Servicing LLC

939 W North Ave., Suite 680

Chicago, IL. 60642

CEO

Fay Servicing, LLC

440 S LaSalle St., 20th Floor

Chicago, IL 60605

Edward J Fay

Fay Servicing, LLC

440 S LaSalle St., 20<sup>th</sup> Floor

Chicago, IL 60605

CEO

Fay Servicing LLC

PO Box 88009

Chicago, IL 60680-1009

CEO

Fay Servicing, LLC

901 S. 2nd St. Suite 201

Springfield, IL 62704

Ricardo Orozco

Agent for Service

Fay Servicing LLC

1220 S Street, Suite 150

Sacramento, Ca. 95811

CEO

US Bank National Association

425 Walnut Street

Cincinnati, OH 45202

91 7199 9991 7032 7382 3443